



UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 30 2002

RECEIVED

OCT 04 2002

Technology Center 2100

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

Dilip Gunawardena
827 Newport Circle
Redwood Shores, CA 94063

COPY MAILED

AUG 23 2002

OFFICE OF PETITIONS

In re Application of
James Kleinsteinber,
Richard L. Hammons,
Dilip Gunawardena, and
Shankar Balasubramanian
Application No. 10/062,853
Filed: January 31, 2002
Attorney Docket No. 112-0019US
Title: Node and Port Authentication
in a Fibre Channel Network

LETTER

Dear Dr. Gunawardena:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Nancy Johnson at (703) 305-0309. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Nancy Johnson
Nancy Johnson
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policies

WONG, CABELLO, LUTSCH,
RUTHERFORD & BRUCCULERI, P.C.
20333 SH 249
SUITE 600
HOUSTON, TX 77070

RECEIVED

OCT 03 2002

OFFICE OF PETITIONS



Dilip Gunawardena
 872 Newport Circle, Redwood Shores, CA 94065-1915
 Email: dilip_gunawardena@yahoo.com
 Telephone: 650-594-1360

September 4, 2002

Claims regarding patent application # 10/062,853 ,
Node and Port Authentication in a Fibre Channel Network

Claim #1:

This claim is false.

Network switches have been manufactured by many companies over many years. They all contain a memory, a first port, a second port, and a processor. The fact that they can be used to store, send or receive a secret fact, derive a second-type and third-type derivative of that secret fact, and compare those facts, second-type derivatives, and third-type derivatives, is completely irrelevant. In fact for any Public Key Infrastructure (PKI)-enabled network switch attempting to mutually authenticate each of its ports with its neighbor on the other end of that link, this is a well-defined and commonly-used procedure. This procedure is fully defined in "Entity Authentication Using Public Key Cryptography", FIPS PUB 196, 1997 February 18, US Department of Commerce / National Institute of Standards and Technology, which obviously pre-dates this patent application by several years.

The aforementioned publication is derived from Section 5.2.2, "Three pass authentication", of ISO/IEC 9798-3, "Information technology - Security techniques - Entity Authentication - Part 3: Mechanisms using digital signature techniques", 1993 and 1998, which obviously pre-date this patent application by several years.

Claim #8:

Given the existence of Claim #9, Claim #8 is superfluous. That is because a nonce is a random number, to be used only once.

Claims #2 to #9 inclusive:

Given the falsity of Claim #1, and given the dependency of Claims #2 to #9 inclusive upon Claim #1, Claims #2 to #9 inclusive are also false.

Claim #10:

This claim is false.

This process is fully defined in "Entity Authentication Using Public Key Cryptography", FIPS PUB 196, 1997 February 18, US Department of Commerce / National Institute of

RECEIVED
 OCT 04 2002
 Technology Center 2100

Standards and Technology, which obviously pre-dates this patent application by several years.

The aforementioned publication is derived from Section 5.2.2, "Three pass authentication", of ISO/IEC 9798-3, "Information technology – Security techniques – Entity Authentication – Part 3: Mechanisms using digital signature techniques", 1993 and 1998, which obviously pre-date this patent application by several years.

Claims #11 to #22 inclusive:

Given the falsity of Claim #10, and given the dependency of Claims #11 to #22 inclusive upon Claim #10, Claims #11 to #22 inclusive are also false.

Claim #23:

This claim is false.

This process is fully defined in "Entity Authentication Using Public Key Cryptography", FIPS PUB 196, 1997 February 18, US Department of Commerce / National Institute of Standards and Technology, which obviously pre-dates this patent application by several years.

The aforementioned publication is derived from Section 5.2.2, "Three pass authentication", of ISO/IEC 9798-3, "Information technology – Security techniques – Entity Authentication – Part 3: Mechanisms using digital signature techniques", 1993 and 1998, which obviously pre-date this patent application by several years.

Claim #24:

Given the existence of Claim #25, Claim #24 is superfluous. That is because a nonce is a random number, to be used only once.

Claims #24 to #36 inclusive:

Given the falsity of Claim #23, and given the dependency of Claims #24 to #36 inclusive upon Claim #23, Claims #24 to #36 inclusive are also false.

Claim #37:

This claim is false.

This process is fully defined in "Entity Authentication Using Public Key Cryptography", FIPS PUB 196, 1997 February 18, US Department of Commerce / National Institute of Standards and Technology, which obviously pre-dates this patent application by several years.

The aforementioned publication is derived from Section 5.2.2, "Three pass authentication", of ISO/IEC 9798-3, "Information technology – Security techniques –

Entity Authentication – Part 3: Mechanisms using digital signature techniques”, 1993 and 1998, which obviously pre-date this patent application by several years.

Claim #38:

Given the existence of Claim #39, Claim #38 is superfluous. That is because a nonce is a random number, to be used only once.

Claims #38 to #40 inclusive:

Given the falsity of Claim #35, and given the dependency of Claims #38 to #40 inclusive upon Claim #35, Claims #38 to #40 inclusive are also false.

Claims #41 to #42 inclusive:

Given the falsity of Claim #38, and given the dependency of Claims #41 to #42 inclusive upon Claim #38, Claims #41 to #42 inclusive are also false.

Claim #43:

Given the falsity of Claim #35, and given the dependency of Claim #43 upon Claim #35, Claim #43 is also false.

Claim #44:

Given the falsity of Claim #41, and given the dependency of Claim #44 upon Claim #41, Claim #44 is also false.

Claim #45:

Given the falsity of Claim #42, and given the dependency of Claim #45 upon Claim #42, Claim #45 is also false.

Claim #46:

Given the falsity of Claim #43, and given the dependency of Claim #46 upon Claim #43, Claim #46 is also false.

Claim #47:

Given the falsity of Claim #35, and given the dependency of Claim #47 upon Claim #35, Claim #47 is also false.

Claim #48:

Given the falsity of Claim #45, and given the dependency of Claim #48 upon Claim #45, Claim #48 is also false.

Claim #49:

Given the falsity of Claim #46, and given the dependency of Claim #49 upon Claim #46, Claim #49 is also false.

Claim #50:

This claim is false.

This process is fully defined in "Entity Authentication Using Public Key Cryptography", FIPS PUB 196, 1997 February 18, US Department of Commerce / National Institute of Standards and Technology, which obviously pre-dates this patent application by several years.

The aforementioned publication is derived from Section 5.2.2, "Three pass authentication", of ISO/IEC 9798-3, "Information technology – Security techniques – Entity Authentication – Part 3: Mechanisms using digital signature techniques", 1993 and 1998, which obviously pre-date this patent application by several years.

Claim #51:

This claim is false.

This process is fully defined in "Entity Authentication Using Public Key Cryptography", FIPS PUB 196, 1997 February 18, US Department of Commerce / National Institute of Standards and Technology, which obviously pre-dates this patent application by several years.

The aforementioned publication is derived from Section 5.2.2, "Three pass authentication", of ISO/IEC 9798-3, "Information technology – Security techniques – Entity Authentication – Part 3: Mechanisms using digital signature techniques", 1993 and 1998, which obviously pre-date this patent application by several years.

Claims #52 to #53 inclusive:

Given the falsity of Claim #49, and given the dependency of Claims #52 to #53 inclusive upon Claim #49, Claims #52 to #53 inclusive are also false.

PEER REVIEW:

The falsity of the above claims will in all probability be corroborated and attested to by the following additional experts from the Fibre Channel industry:

(1)

Michael O'Donnell
McData Corporation
Email: modonnell@mcdata.com
Work address: Michael O'Donnell, McData Corporation, 310 Interlocken Parkway,
Broomfield, CO 80021.

(2)

James Hughes
Chairperson, Storage Networking Industry Association (SNIA) Security Work Group
Email: hughes@network.com
Work address: James Hughes, Chairperson, SNIA Security Work Group, 2570 West El
Camino Real, #304, Mountain View, CA 94040-1313.

(3)

Steven Dalton
CEO, Gadzoox Networks
Email: sdalton@gadzoox.com
Work address: Steven Dalton, Gadzoox Networks, 5850 Hellyer Avenue, San Jose, CA
95138.

(4)

Claudio DeSanti
Cisco Systems / Andiamo
Email: cds@andiamo.com
Work address: Claudio DeSanti, Cisco Systems / Andiamo, 375 East Tasman Drive,
Building 6, Floor 3, San Jose, CA 95134.

(5)

Roger Cummings
Co-chairperson, Storage Industry Network Association (SNIA) Security Work Group
Veritas Corporation
Email: roger.cummings@veritas.com
Work address: Roger Cummings, Veritas Corporation, 350 Ellis Street, Mountain View,
CA 94043.

(6)

Craig Carlson
Chairperson, InterNational Committee for Information Technology Standardization
(INCITS) T11.3 Technology Group
QLogic Corporation
Email: craig.carlson@qlogic.com
Work address: Craig Carlson, QLogic Corporation, 26600 Laguna Hills Drive, Aliso
Viejo, CA 92656.

Dilip Gunawardena